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News / Canada

Nova Scotia couple wins copyright lawsuit against homophobic U.S. blogger

Owners of a Nova Scotia vacation spot have won a legal battle to protect themselves from what a judge calls an “outrageous and highly reprehensible” homophobic Internet smear campaign from a Mississippi blogger.



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Charles Leary (left) and Vaughn Perret, owners of Nova Scotia's Trout Point Lodge, have won a lawsuit over online harassment.

By: Peter Edwards Star Reporter, Published on Mon Feb 24 2014

Owners of an idyllic vacation spot in rural Nova Scotia have won the second round of a legal battle to protect themselves from what a judge calls an “outrageous and highly reprehensible” homophobic Internet smear campaign from a Mississippi blogger.

Charles Leary and Vaughn Perret, owners of the Trout Point Lodge in Yarmouth County in southwestern Nova Scotia, won a copyright infringement case earlier this month in the Supreme Court of Nova Scotia against blogger Douglas Handshoe from Wiggins, Miss.

In his decision, Justice Kevin Coady ordered Handshoe to pay \$390,000 after the blogger repeatedly smeared the Nova Scotia couple and incorrectly linked them to a Louisiana political scandal.

“The actions and words of Mr. Handshoe . . . are clearly defamatory,” Coady wrote in his decision. “Furthermore they have no relationship to the truth. They amount to nothing more than a misguided attempt to destroy Mr. Leary, Mr. Perret and Trout Point Lodge.”

Handshoe also peppered his blog postings with anti-gay smears.

“A lot of people say we should have just ignored him, but it was difficult to do so,” Leary said.

Contacted by the Star, Handshoe called the Nova Scotia court decision “worthless” and vowed to continue to write about the lodge and urge Americans to stay away from it.

Handshoe's lawyer, Jack "Bobby" Truitt of Covington, La, said the Nova Scotia decision isn't consistent with American free speech protection.

In the 2012 case, Leary and Perret won a damage award of \$427,000 from the Supreme Court of Nova Scotia after suing for "defamation, invasion of privacy, injurious falsehood, intentional interference with contractual relations, intentional interference with economic relations, intention infliction of emotional and mental distress and assault."

The 2012 case was hailed as an important statement on "cyber libel," but American courts refused to compel Handshoe to pay the damages.

In the latest court action, Leary and Perret sued Handshoe for copyright infringement, since he pulled photos from their website to post on the Internet.

Justice Coady ruled that Handshoe had no right to use the photos.

"Their misuse amounted to an ongoing campaign to damage, harass and embarrass the applicants," Coady wrote.

The troubles for the lodge owners began when the New Orleans Times-Picayune incorrectly wrote in 2010 that their lodge is owned by a man who was embroiled in a political scandal in Louisiana.

The newspaper since published a retraction and an apology.